

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM E. AYRES	:	CIVIL ACTION
	:	
v.	:	
	:	
COMMONWEALTH OF	:	
PENNSYLVANIA, et al	:	NO. 11-0392

**ORDER**

**AND NOW**, this 14th day of September, 2011, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Respondents' Answer to Petition for Writ of Habeas Corpus, the Petitioner's "Traverse Response" to Respondents' Answer Filed, the Report and Recommendation filed by United States Magistrate Judge Timothy R. Rice filed on July 25, 2011, the petitioner's objections to the Report and Recommendation, and after a thorough and independent review of the record, it is **ORDERED** that:

1. The petitioner's objections are **OVERRULED**;
2. The Report and Recommendation of United States Magistrate Judge Rice is **APPROVED** and **ADOPTED**<sup>1</sup>;
3. The Petition for Writ of Habeas Corpus is **DENIED**; and,
4. There is no probable cause to issue a certificate of appealability.

/s/Timothy J. Savage  
TIMOTHY J. SAVAGE, J.

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<sup>1</sup>Magistrate Judge Rice's recitation of the factual and procedural history is accurate. His legal analysis is thorough and correct. Therefore, we can add nothing to the well reasoned and exhaustive report.